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TESTIMONY IN SUPPORT OF HOUSE BILL 5707

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SEPTEMBER 6, 2018

- Collins & Blaha, P.C. is one of a handful of full-service law firms in Southeast Michigan practicing primarily in education law and representing school districts, public school academies, and intermediate school districts. We have represented educational institutions for over 30 years in every facet of education law.
- As you are aware, the student growth component of teacher evaluations will increase from 25% to 40% this school year. We believe enacting House Bill 5707 and maintaining 25% student growth in teacher evaluations is in the best interests of public schools and public school students for the reasons set forth below.
- Requiring 40% of evaluations to be based on student growth and assessment data places too much emphasis on student growth at the expense of other important factors. Since evaluation ratings are extremely important for teachers (e.g. they impact layoff and recall, attainment of tenure), the overemphasis on student growth may inadvertently result in teachers favoring certain assignments over others. For example:
 - Teachers may be discouraged from teaching remedial courses or working with more challenging students for fear that this subset of students will be less likely to show significant student growth and, thus, negatively impact the teachers' evaluations.
 - High student growth scores in advanced placement or honors courses could mask teachers' deficiencies in other important areas, such as classroom management, rapport with parents and other teachers, and attendance.
- The Teacher Tenure Commission has also warned against placing too much emphasis on student growth and assessment data to determine teachers' effectiveness. The Commission has held that student growth may be considered in determining effectiveness, but it should not be the determinative factor. Consider the following decisions:
 - The Commission held that lack of student growth may be used as evidence of adverse effect, but it is not determinative. Rather, student achievement data has a limited role in proving the adverse impact of a teacher's incompetency. *Gantz v Detroit Public Schools*, TTC 96-17.
 - The Commission held that "proof of a teacher's unfitness does not rise and fall upon the competitive test scores of his or her students. Rather, the essential consideration is the teacher's ability to create a positive educational environment – one that is conducive to learning and that fosters the students' interest in the subject matter." *Sharkey v Oak Park School District*, TTC 74-47-R.
- Collins & Blaha, P.C. supports enacting House Bill 5707 and maintaining 25% student growth in teacher evaluations because it would remedy the concerns set forth above without impacting the teacher tenure reforms enacted in 2011.